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No. 179

HEALTH AND MUNICIPAL ADMINISTRATION SECRETARIAT.

NOTIFICATION

Bangalore, dated 9th July 1971.

G.S.R. 219.—The following draft Mysore Cattle Trespass Rules, 1971 which the Government of Mysore proposes to make in exercise of the powers conferred by section 31 of the Mysore Cattle Trespass Act, 1966 (Mysore Act 19 of 1966) are hereby published as required by sub-section (1) of the said section for the information of persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration on or after 30th August 1971.

Any objection or suggestion which may be received from any person with respect to the said draft rules by the State Government before the date specified above will be considered by the Government. Objections or suggestions may be addressed to the Secretary to the Government of Mysore, Health and Municipal Administration Department, Vidhana Soudha, Bangalore-1.

DRAFT

MYSORE CATTLE TRESPASS RULES, 1971

1. *Title and commencement.*—(1) These rules may be called the Mysore Cattle Trespass Rules, 1971.

(2) They shall come into force at once.

2. *Definitions.*—In these rules, unless the context otherwise requires,—

(*a*) "Act" means the Mysore Cattle Trespass Act, 1966 (Mysore Act of 1966);

(*b*) "Form" means a form specified in the Schedule to these rules ;

(*c*) "Section" means a section of the Act.

3. *Registers to be kept and returns to be furnished by a pound-keeper.*—Every pound-keeper shall—

(i) keep the registers ; and

(ii) furnish the returns,

in the Forms specified in the Schedule to these rules.

4. *Procedure to be followed when cattle are brought to a pound.*—(1) When cattle are brought to a pound, the pound-keeper shall fill up the entries in the pound register in Form (1) as required by sub-section (2) of section 6, and shall obtain the signature, or where a person is illiterate, the left hand thumb mark, of the person bringing the cattle to the pound, in the Register.

(2) The copy of the entry made under sub-section (2) of section 6 to be given by the pound-keeper to the person seizing, or causing the seizure of the cattle, shall be in Form 2.

5. *Manner of remitting fines realised.*—The pound-keeper shall give a receipt in Form 3 for any amount realised on account of fine levied under sub-section (1) of section 10

and such amount shall be remitted by him to the Government Treasury of the Taluk for being credited to the appropriate head of account in favour of the District Magistrate as required by sub-section (2) of section 10.

6. *Declaration regarding ownership of cattle.*—(1) The declaration regarding ownership which the owner of the impounded cattle or his agent, is required to make before the impounded cattle is released by the pound-keeper, shall be in Form 4.

(2) The declaration referred to under sub-rule (1) shall be made in the presence of the pound-keeper and shall be attested by two witnesses.

7. *Deposit and forfeiture of security.*—(1) The sum to be deposited as security by the owner of the impounded cattle or his agent before any impounded cattle is released by the pound-keeper, shall be in accordance with the scale specified in the Table below:

Scale of Security required to be deposited

Type of Cattle	*Rates of Security for with less than one lakh population as per 1961 Census*	*Proposed in Rupees areas with more than one lakh population as per 1961 Census*
1	2	3
Elephant ..	50	250
Camel ..	50	250
Buffaloe ..	40	200
Horse ..	50	250
Mare ..	50	250
Golding ..	50	250
Pony ..	50	250
Bull ..	50	250

1	2	3
Bullock ..	50	250
Ass ..	50	250
Cow ..	50	250
Calf ..	15	50
Colt ..	15	50
Fily ..	15	50
Mule ..	15	50
Pig ..	20	30
Ram ..	10	25
Ewe ..	10	25
Lamb ..	10	25
Goat ..	10	25
Kid ..	10	25
Sheep ..	10	25

(2) The amount deposited by way of security which shall be forfeited to the State Government under sub-section (2) of section 13 in respect of any cattle which is impounded within a period of six months shall be twenty five per cent of the amount deposited in respect of such cattle.

8. *Procedure regarding making of deposit, custody and refund thereof.*—(1) The sum to be deposited by way of security shall be paid in cash to the pound-keeper who shall acknowledge its receipt in Form 5.

(2) Every amount received by the pound-keeper as security deposit under sub-rule (1) shall be kept by him in his personal custody and an account of such amount shall be maintained by him in Form 6.

(3) The pound-keeper shall on application made by or on behalf of the depositor refund the amount deposited on the expiry of the period of six months as required by sub-section (2) of section 13 to the applicant after obtaining the signature of such person in the Register of Refunds kept in Form 7.

9. *Manner of disposal of cattle.*—If any cattle dies in the pound, the pound keeper shall conduct a panchanama

about the cause of death and dispose of the dead body and send a report to the District Magistrate in Form 8.

10. *Repeal and savings.*—All rules corresponding to these rules which are in force on the date of the commencement of these rules in the Mysore Area, Bombay Area, Coorg District, Hyderabad Area or Madras Area are hereby repealed except as respects things done or omitted to be done under such rules.

SCHEDULE

FORM 1

(*See* sub-section (2) of Section 6 and sub-rule (1) of Rule 4)

POUND REGISTER

Name of the Pound

Sl. No.	*Receipt No. of impounded Cattle*	*Date and hour of presentation of cattle*	*Name and residence of the person seizing or, causing the seizure of cattle*
(1)	(2)	(3)	(4)

Description of Cattle					*Name and residence of the owner if known*
Kind	*Age*	*Value*	*Height*	*Colour*	*Special marks of identification*
(5)					(6)

Signature or thumb impression of the person seizing or causing seizure of Cattle	*Date and hour of release of Cattle*	*No. and date of Release Pass*	*Name of person releasing the Cattle*
(7)	(8)	(9)	(10)

Fine realised		*Feeding charges*			*Total of columns* 11 (b) *and* 12(c)
Rate	*Amount*	*Period of detention*	*Rate at which charged*	*Amount charged*	
(a)	(b)	(a)	(b)	(c)	
(11)			(12)		(13)

Reclaimants signature or thumb impression	*Reference to Sl. No. in the Register of Cattle sold*
(14)	(15)

FORM No. 2

(*See* sub-section (3) of Section 6 and sub-rule (2) of Rule 4)

RECEIPT FOR IMPOUNDED CATTLE

Name of Pound

Book No.
Receipt No.

Sl. No.	*Date and hour of presentation of Cattle*	*Description of Cattle*					
		Kind	*Number*	*Age*	*Value*	*Height*	*Colour*
(1)	(2)			(3)			

Special Marks of Identification	*Name and residence of the person seizing or causing the seizure of Cattle*	*Name and residence of the owner if known*
	(4)	(5)

Date.....

Signature of Pound Keeper.

FORM 3 (*Rule 5*)

Pound Receipt and Release Pass

Book No.

ORIGINAL AND DUPLICATE

No.

Name of Pound

No. in the Pound Register	*Date and hour of release*	*No. and description of cattle*	*Name and address of person releasing the cattle*	*Particulars of amount realised*			*Signature of pound keeper*	*Date*
				Amount of fines	*Amount of feeding charges*	*Total*		
1	2	3	4	5	6	7	8	9

Progressive Total

Amount received (in words)

Amount received (in words)

(Original and Duplicate with double sided carbon.
Duplicate being perforated.)

FORM No. 4

DECLARATION OF OWNERSHIP
(As per Section 13)

I, ... son/daughter of.....
residing at ..... engaged as .....
do hereby declare that I am the rightful owner of the said cattle/that I am the authorised representative of Sri ...../ Smt. ..... the rightful owner of the said cattle.

I do hereby indemnify that in the event of any controversy that may arise from the present delivery of the cattle, I shall be liable to meet the consequences or such losses thereof, in token of which I deposit a sum of Rs..... which shall not be demanded for a period of six months from today.

I abide for the forfeiture of the said deposit amount if during the above said period, the cattle is impounded and the seizure is not adjudged illegal.

Signed this day the ..... of the month of ..... the year ..... at ..... in the presence of the ..... and the witnesses.

Signature.

Witnesses :

PAYMENT

A sum of Rupees ..... has accordingly been paid by ..... to Shri/Smt.....

Before me

Witnesses :

(Any local respectable person).

Ex. No. 179

FORM No. 5

(*See* sub-rule (1) of rule 8)

SECURITY DEPOSIT RECEIPT

Book No. ..... Name of Pound.....

No..... Date .....

Received from ..... a sum of Rs. ( )
..... only on account of Security Deposit for ..... (Class of cattle to be noted).

Signature of the person paying the amount.

Signature of the Pound Keeper.

Note.—Every alternative sheet to be headed 'Duplicate' and perforated.

FORM No. 6

(*See* sub-rule (2) of rule 8)

REGISTER OF SECURITY DEPOSITS

Sl. No.	*Receipt No. and date of Deposit*	*Name of the Depositor*	*On what account*	*Amount*
1	2	3	4	5

Signature of the Pound Keeper

Mode of disposal of the Security Deposit with date

Forfeiture	Refund

FORM No. 7

(*See* sub-rule (3) of rule 8)

Register of Refunds

Name of the Depositor	*Item No. in the Deposit Register*	*Deposit amount*	*Reasons for Refund*	*Amount refunded*	*Signature of the Depositor with date*
1	2	3	4	5	6

FORM No. 8

(*See* rule 9)

Issue of report of death of cattle impounded

Name of Pound

Book No.

Date of Report,

No.

1. Serial No. in the Pound Register.
2. Description of cattle.
3. Date and hour of death.
4. Nature and cause of death.
5. Name and resident of the owner, if known.
6. Nature of disposal.
7. Signature of the person to whom made over.

Signature of the Pound Keeper.

[No. HMA 350 GGL 66.]

By Order and in the name of the President of India,

B. S. MUDDAPPA,

Secretary to Government of Mysore,
Health and Municipal Administration Department.

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